

Official Form 17
(12/04)

United States Bankruptcy Court

Southern District Of New York

In re:

MARKETXT HOLDINGS CORP., a/k/a
T CORP TECHNOLOGIES, LLC,
TRADESCAPE CORP. AND
TRADESCAPE.COM, INC.,

Debtor.

Case No. 04-12078 (ALG)

ALAN NISSELSO, as Chapter 11
Trustee of MarketXT Holdings Corp., and
The Official Committee of Unsecured Creditors,

Plaintiffs,

v.

Adv. No. 05-01268 (ALG)

EMPYREAN INVESTMENT FUND, L.P.,
EMPYREAN GENERAL PARTNER, LLC,
ASH MASTER FUND, II, LLC, ASH MASTER
FUND II, L.P., ASH FUND LP f/k/a EMPYREAN
FUND, LP, ASH FUND II LP, ASH CAPITAL,
LLC f/k/a, ASH CAPITAL MANAGEMENT,
ASH GENERAL PARTNER, LLC, ASH
OFFSHORE FUND, LTD., ASH GENERAL
PARTNER OFFSHORE, LTD.,
and JOHN DOES 1 THROUGH 10,

Defendants.

NOTICE OF APPEAL

Empyrean Investment Fund, L.P., Empyrean General Partner, LLC, Ash Master Fund, II, LLC, Ash Master Fund, L.P., Ash Fund LP f/k/a Ash Capital Management, Ash General Partner, LLC, Ash Offshore Fund, Ltd., Ash General Partner Offshore, Ltd., and John Does 1 through 10, (collectively “the defendants”) appeal under 28 U.S.C. § 158(a) or (b) and pursuant to Fed. R. A. P. 3, the defendants hereby provide notice to the Court and plaintiffs that they intend to, and hereby do, lodge an appeal in the above captioned matter.

Rauf Ashraf (“the defendant”) appeals under 28 U.S.C. § 158(a) or (b) and pursuant to Fed. R. A. P. 3, the defendant hereby provides notice to the Court and plaintiffs that he intends to, and hereby does, lodge an appeal in the above captioned matter.

This appeal is from the “Order Denying Motion to Invade Restrained Funds”, dated November 14, 2007, denying the Defendants’ Motion to Invade Restrained Funds, and from any and all adverse orders from which an appeal may lodge, and is intended to preserve each and every right to seek reversal of the aforesaid Order Denying Motion to Invade Restrained Funds available under the Rules of Procedure, the Law and the Constitution of the United States.

The names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their respective attorneys are as follows:

ALAN NISSELSO, as Chapter 11
Trustee of MarketXT Holdings Corp.,
by his attorney,
Howard Simon, Esq.
Windels Marx Lane & Mittendorf, LLP
156 West 56th Street
New York, New York 10019

(212) 237-1000

And

The Official Committee of Unsecured Creditors
by their attorney,
Lester Kirshenbaum, Esq.
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022
(212) 836-8000

Plaintiffs

EMPYREAN INVESTMENT FUND et al
by their attorney,
Jeffrey A. Denner, Esq.
DENNER♦PELLEGRINO, LLP
Four Longfellow Place, 35th Floor
Boston, MA 02114
(617) 227-2800

Defendants

Dated: November 26, 2007

Signed: /s/ Jeffrey A. Denner (JD-8357)

Attorney Name: Jeffrey A. Denner

Address: DENNER♦PELLEGRINO, LLP

4 Longfellow Place, 35th Floor

Boston, MA 02114

Telephone No: (617) 290-6556

If a Bankruptcy Appellate Panel Service is authorized to hear this appeal, each party has a right to have the appeal heard by the district court. The appellant may exercise this right only by filing a separate statement of election at the time of the filing of this

notice of appeal. Any other party may elect, within the time provided in 28 U.S.C. § 158(c), to have the appeal heard by the district court.

If a child support creditor or its representative is the appellant, and if the child support creditor or its representative files the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.